REMARKS

The present invention is a communication system. In accordance with a preferred embodiment, the communication system includes at least one ubiquitous sensor for sensing awareness data relating to a user as described for example on page 8, lines 21-24; a context engine 3 for receiving and processing said awareness data to determine the user's current context for the purpose of event handling; a policy engine 5 for receiving and relaying at least one permanent evidential indicator of an incoming event from a caller to said user's current context in response to selecting a preferred event handling feature; and a delivery agent CD for executing said preferred event handling feature.

The indication that claims 3, 5-7, 10, 12-14, 16 and 18-20 contain patentable subject matter is noted with appreciation.

Claims 1, 2, 4, 8, 11, 15 and 17 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Publication 2005/0246682 (Hines). The Examiner's construction of Hines as allegedly anticipating the rejected claims is as follows:

> Regarding claim 1, Hines teaches a communication system comprising:
>
> at least one ubiquitous sensor for generating awareness data relating to a user (Fig. 36, 3602)
>
> a context engine for receiving and processing said awareness data to determine the user's current context for the purpose of event handling (Fig. 36, 3608);
>
> a policy engine for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to said user's current context and in response selecting a preferred event handling feature; and a delivery agent for

executing said preferred event handling feature (see paragraph [0468]).

These grounds of rejection are traversed for the following reasons.

For an anticipation rejection to be proper, the Examiner has to show every limitation of the allegedly anticipated claim to be present in the Hines reference either literally or inherently.

Hines discloses in the referenced Fig. 36 the combination of an event sensor 3602 which provides an event trace to an event generator 3604 which provides a processed event trace to an event handler 3608 which cannot be construed to anticipate the rejected claims based upon a reading of the disclosure of Hines by a person of ordinary skill in the art.

Specifically, paragraph 468 of Hines describes Fig. 36 as follows:

> [0468] **FIG. 36** show a Basis for distributed Event Environments (BEE) abstraction facility **3600** for a single client. With reference to **FIG. 36**, event interpretation is performed at several levels. The first is an event sensor **3602**, inserted into the source of the program under test and invoked whenever a primitive event occurs during execution. The next level is an event generator **3604**, where information—is attached to each event. Event generator **3604** uses an event table **3606** to determine whether events should be passed to an event handler **3608** or simply dropped. Event handler **3608** manages event table **3606** within event generator **3604**. Event handler **3608** filters and collects events and routes them to appropriate event interpreters (not shown). Event interpreters (not shown) gather events from a number of clients (not shown) and aggregate them for presentation to a programmer. Clients and their related event interpreters are placed together in groups managed by an event manager (not shown). A weakness of this technique is that it does not specifically track causality. Instead, this technique relies on the real-timestamps attached to specific primitive or abstract events. However, as discussed above these timestamps are not able to characterize causality.

As may be seen from the foregoing discussion, an event table 3606 is used to determine whether events should be passed to the event handler 3608 or simply dropped. Hines in the disclosed single client environment has no counterpart of the claimed awareness data relating to a user and an incoming event from a caller.

Moreover, it is submitted that there is no counterpart of the claimed context engine with event generator 3604 and event handler 3608 or the policy engine. Without a teaching of a context engine and a policy engine, there is not any functionality in Hines for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to the user's current context. Hines responds to an event in accordance with the event table 3606, but does not relate the user's context to an evidential indicator of an event. Accordingly, it is submitted that Hines does not anticipate claims 1, 2, 4, 8, 11, 15 and 17.

If the Examiner persists in the stated grounds of rejection in view of the foregoing comments, it is requested that he specifically state on the record how, in view of the specific disclosure upon which the Examiner relies in paragraph 468, where the foregoing missing elements and functionality of claim 1 are found therein.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1375.42977X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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Attachments

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